

TOWNSHIP COMMITTEE MEETING
OCTOBER 5, 2009

The Closed Session meeting of the Township Committee of the Township of Cranbury was held at 7:00 p.m. in the Town Hall Meeting Room. The Regular Meeting was held at 7:30 p.m. Answering present to the roll call were Township Committee members: Winthrop Cody, Thomas F. Panconi, Jr., Richard Stannard, David J. Stout and Mayor Pari Stave. Also present were: Trishka Waterbury, Esquire, Attorney; Christine Smeltzer, Administrator and Kathleen R. Cunningham, Clerk. Mayor Stave led in the salute to the flag, and Ms. Cunningham gave the following Open Public Meetings Act statement:

In accordance with Section 5 of the Open Public Meetings Act, it is hereby announced and shall be entered into the minutes of this meeting that adequate notice of this meeting has been provided:

Ms. Cunningham, Clerk, announced the change in the meeting time was noticed on September 25, 2009:

- (1) Posted on December 1, 2008 on the Bulletin Board of the Municipal Office at 23-A North Main Street, Cranbury, New Jersey and remains posted at that location.
- (2) Communicated to the Cranbury Press, Home News Tribune and Trenton Times on December 1, 2008.
- (3) Was filed on December 1, 2008 at the Cranbury Municipal Office, 23-A North Main Street, Cranbury, New Jersey, posted on the Township's web site and remains on file for public inspection, and
- (4) Sent to those individuals who have requested personal notice.

Resolution

On motion offered by Mr. Stannard, seconded by Mr. Cody, the following resolution was adopted by vote:

| | |
|-------------|----------------|
| Ayes: (Cody | |
| (Panconi | Abstain: (None |
| (Stannard | Absent: (None |
| (Stave | |
| (Stout | |

Nays: (None

Cranbury Township Resolution # R 10-09-117

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

RESOLUTION TO CLOSE MEETING TO THE PUBLIC

BE IT RESOLVED, by the Township Committee of the Township of Cranbury, Middlesex County, New Jersey as follows:

The general nature of the subject to be discussed in this session is as follows:

----- "N.J.S.A.10:4-12b (5) (Land Acquisition): Discussion of possible land acquisition for affordable housing and other purposes".

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Cranbury Township Resolution # R 10-09-117
(Continued)

It is unknown at this time precisely when the matters discussed in this session will be disclosed to the public. Matters involving contract negotiations or the acquisition of land will be disclosed upon conclusion of the negotiations or upon approval of the acquisition. Matters involving personnel will be disclosed when the need for confidentiality no longer exists. Matters concerning litigation will be announced upon the conclusion of trial or settlement of that litigation or when the need for confidentiality no longer exists.

Date: October 5, 2009

On motion by Mr. Stannard, seconded by Mr. Stout and unanimously carried, the meeting returned to Open Session:

| | |
|-------------|----------------|
| Ayes: (Cody | |
| (Panconi | Abstain: (None |
| (Stannard | Absent: (None |
| (Stave | |
| (Stout | |

Nays: (None

Agenda Additions/Changes

Ms. Cunningham, Clerk, announced Resolution # R 10-09-124 will be considered now as well as Resolution # R 10-09-125. Ms. Waterbury, Township Attorney, announced there will be an additional Closed Session added at the end of the meeting; "N.J.S.A.10:4-12b(7) (Attorney-Client Communications Regarding Contract Negotiations): Discussion falling within the attorney-client privilege regarding contract negotiations regarding the regulation baseball field in which the Township is to be a party."

Resolution

Mayor Stave asked Mr. Greg Carroll to come forward and then read the following Resolution:

On motion offered by Mr. Cody, seconded by Mr. Stout, the following resolution was adopted by vote:

| | |
|-------------|----------------|
| Ayes: (Cody | |
| (Panconi | Abstain: (None |
| (Stannard | Absent: (None |
| (Stave | |
| (Stout | |

Nays: (None

Cranbury Township Resolution # R 10-09-124

WHEREAS, Eagle Scout is the highest rank attainable in the Boy Scouts of America, requiring demonstrated leadership through the organization and implementation of a service project, and;

WHEREAS, Cranbury resident and Eagle candidate, Greg Carroll, showed outstanding leadership, and service to community by initiating the first Helene Cody Cranbury 5K, on September 12, 2009, and;

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Cranbury Township Resolution # R 10-09-124
(Continued)

WHEREAS, Greg demonstrated organizational skill in planning the race, soliciting sponsors, circulating communications and coordinating all the runners, volunteers, public officials, municipal staff and police, among others, and;

WHEREAS, in realizing the race, Greg fulfilled the wish of a fellow Cranbury resident and student, Helene Cody, a gifted athlete who had wanted to revive the Cranbury Day 5K for her Gold Award, and;

WHEREAS, with the successful achievement of his goal, Greg set the groundwork for future races, bringing together people of all ages in a shared, healthy experience, and celebrating and honoring the life of Helene Cody, and her commitment to fitness and community spirit,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Cranbury that Greg Carroll be thanked and acknowledged for his outstanding service to the town of Cranbury, and;

BE IT FURTHER RESOLVED, that a duly authenticated copy of this resolution be presented to Greg Carroll.

Resolution

Ms. Waterbury, Township Attorney, indicated the resolution concerns a piece of property near The Four Seasons at Cranbury development that Cranbury Housing Associates always intended to dedicate to the Township and the Township intended to accept the dedication. She stated it is an issue that both parties have been working on. However, there is a third party involved which has caused a lot of delays. There are past due taxes now due and this resolution will forgive the taxes. Mr. Stout explained this is the old "Pin Oak" property on a driveway that no longer exists.

On motion offered by Mr. Stannard, seconded by Mr. Panconi, the following resolution was adopted by vote:

Cranbury Township Resolution # R 10-09-125

| | |
|-------------|----------------|
| Ayes: (Cody | Abstain: (None |
| (Panconi | Absent: (None |
| (Stannard | |
| (Stave | |
| (Stout | |

Nays: (None

Cranbury Township Resolution #R. 10-09-125

**RESOLUTION RELEASING CRANBURY HOUSING ASSOCIATES
FROM A TAX PAYMENT ON THE PIN OAK PROPERTY LOCATED ON
OLD CRANBURY ROAD, BLOCK 20, LOT 12.**

WHEREAS, Cranbury Housing Associates ("CHA") is a non-profit organization responsible for implementing and managing Cranbury Township's affordable housing program; and

TOWNSHIP COMMITTEE MEETING
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Cranbury Township Resolution #R. 10-09-125
(Continued)

WHEREAS, CHA is the record owner of an approximately 3.24 acre parcel situated on Old Cranbury Road and designated as Block 20, Lots 11 and 12 on the Cranbury Township Tax Maps (commonly referred to as the "Pin Oak Property"); and

WHEREAS, the Pin Oak Property was in the past used for affordable housing purposes, but is now vacant; and

WHEREAS, in 2002 CHA offered to dedicate the Pin Oak Property to the Township for open space and conservation purposes; and

WHEREAS, subdivision approval from the Township Planning Board was required prior to the title transfer because CHA wished to retain ownership to a portion of the Pin Oak Property that fronted on Old Cranbury Road; and

WHEREAS, CHA, through a third party, received the required subdivision approval in December of 2002; and

WHEREAS, although approval was granted, said third party never perfected the subdivision and CHA, as a result, has been unable to finalize the dedication of the Pin Oak Property to the Township; and

WHEREAS, CHA stopped making payment for the taxes due on the Pin Oak Property after the subdivision approval was received, assuming that the title transfer was going to occur shortly thereafter, and currently owes \$2,372.34 to the Township for taxes; and

WHEREAS, it is now anticipated that the dedication of the Pin Oak Property can be completed by CHA before the end of 2009; and

WHEREAS, it is important that title to the Pin Oak Property be transferred to the Township free of any liens or encumbrances; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Cranbury, County of Middlesex, State of New Jersey, that the Township hereby releases Cranbury Housing Associates from remitting the tax payment due for the property it owns on Old Cranbury Road, designated as Block 20, Lot 12 in the Township of Cranbury, County of Middlesex, State of New Jersey.

Regular Township Committee Minutes of August 24, 2009

On motion by Mr. Cody, seconded by Mr. Stannard and unanimously carried the Regular Township Committee Minutes of August 24, 2009 were adopted.

Regular Township Committee Minutes of September 14, 2009

On motion by Mr. Cody, seconded by Mr. Stannard and unanimously carried the Regular Township Committee Minutes of September 14, 2009 were adopted.

Ms. Cunningham, Clerk, announced the Closed Session Minutes were being adopted not for release to the public until such time the items discussed are resolved.

Closed Session Committee Minutes of August 24, 2009

On motion by Mr. Cody, seconded by Mr. Stannard and unanimously carried the Closed Session Minutes of August 24, 2009 were adopted.

TOWNSHIP COMMITTEE MEETING
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Closed Session Committee Minutes of September 14, 2009

On motion by Mr. Stout, seconded by Mr. Cody and unanimously carried the Closed Session Minutes of September 14, 2009 were adopted.

Reports and Communications

--Mayor

Mayor Stave reported the Township is still negotiating with the Historical Society with the Right-of-Entry Agreement and the Lease of the former Howarth Barn. Because it is not yet completed for the Committee's review, Mayor Stave asked that the payment to the New Jersey Barn Company not be sent out until such time that the agreement is finalized.

--Members of Committee

Mr. Panconi reported he had his monthly meeting with the Fire Company. During the month of September they responded to 20 calls. Of the 20 calls, nine (9) were false alarms. Nine (9) calls were during the day and 11 during the evening hours. The public works employees had "a very good showing" for many of the calls. The false alarm calls had no repeat offenders.

--Subcommittees

Mr. Stout reported the sewer subcommittee had its first organizational meeting. Mr. Stout stated the purpose of the subcommittee is to review all developers' agreements from the past to the present to review the amounts paid vs. the actual flows that have occurred. Mr. Stout reported there is a cost associated in doing the research with the project of approximately between \$ 10,000 - \$15,000. The subcommittee will be able to determine if monies are due to the Township or due to the developer and then to look at the developers' agreements. Mr. Stout stated this is a "prudent investment" as he believes the outcome will benefit the Township. He added it will involve the Attorney and Engineer doing some work and has asked Ms. Marabello, Finance Director to see if these funds can be made available.

--Mr. Cody asked if the traffic meeting for residents will be held at the Township Committee meeting on October 26, 2009 and the "small business" meeting held at the Township Committee meeting on November 9, 2009. Mayor Stave responded both meetings will be held on the respective dates.

Mr. Cody reported he had attended a Development Review Meeting last week and had met with the professionals. One of the recommendations made was Township Committee members and/or liaisons be made aware of any significant applications that are being discussed at the D.R.C. meetings. Mr. Cody referenced a proposed application for a 7-Eleven at Half Acre Road and Route 130 was discussed as well as Silvi Concrete, located on Brickyard Road for a proposed expansion. He reported at the Zoning Board level there is an application for a hotel at the intersection of Route 130 and Half Acre Road and reported the Planning Board, at the request of the Township Committee, will be discussing a future location for the library. Mayor Stave reported for all of the meetings the respective agendas are posted on the Township's web site and if anyone has signed up for web site alerts, they will receive agendas for all Township boards, commissions and committees.

Ordinances

Second Reading

Cranbury Township Ordinance 09-09-17

A motion to enter an Ordinance entitled, Cranbury Township Ordinance 09-09-17, A BOND ORDINANCE PROVIDING FOR THE TOWNSHIP'S SHARE OF THE COSTS OF THE EASEMENT PURCHASE OF THE LUM FARM IN AND BY THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$190,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$180,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF", was presented for second reading and final

TOWNSHIP COMMITTEE MEETING
OCTOBER 5, 2009

Cranbury Township Ordinance 09-09-17
(Continued)

adoption. The Ordinance was published in the Cranbury Press, posted on the Township Bulletin Board and copies were available to the public. The Mayor opened the public hearing on the Ordinance. No one present wished to speak, so the hearing was declared closed. On motion by Mr. Stannard, seconded by Mr. Panconi, the Ordinance was adopted by a vote:

| | |
|-------------|----------------|
| Ayes: (Cody | Abstain: (None |
| (Panconi | Absent: (None |
| (Stannard | |
| (Stave | |
| (Stout | |

Nays: (None

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Cranbury, in the County of Middlesex, New Jersey (the "Township") as a general improvement. For the several improvements or purposes described in Section 3, there is hereby appropriated the sum of \$190,000, including the sum of \$9,500 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$180,500 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purpose for which the bonds are to be issued is the Township's share of the cost of the easement purchase of the Lum Farm necessary therefore and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefore.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this

TOWNSHIP COMMITTEE MEETING
OCTOBER 5, 2009

Cranbury Township Ordinance 09-09-17
(Continued)

ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$180,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$19,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

TOWNSHIP COMMITTEE MEETING
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Cranbury Township Ordinance 09-09-17
(Continued)

Section 9. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Ordinance
Second Reading

Cranbury Township Ordinance 09-09-18

A motion to enter an Ordinance entitled, Cranbury Township Ordinance 09-09-18, A BOND ORDINANCE PROVIDING FOR THE REMAINDER OF THE TOWNSHIP'S SHARE OF THE COSTS OF THE EASEMENT PURCHASE OF THE TOSCANO FARM IN AND BY THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$77,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$73,150 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF", was presented for second reading and final adoption. The Ordinance was published in the Cranbury Press, posted on the Township Bulletin Board and copies were available to the public. The Mayor opened the public hearing on the Ordinance. No one present wished to speak, so the hearing was declared closed. On motion by Mr. Cody, seconded by Mr. Stout, the Ordinance was adopted by a vote:

| | |
|-------------|----------------|
| Ayes: (Cody | Abstain: (None |
| (Panconi | Absent: (None |
| (Stannard | |
| (Stave | |
| (Stout | |

Nays: (None

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Cranbury, in the County of Middlesex, New Jersey (the "Township") as a general improvement. For the several improvements or purposes described in Section 3, there is hereby appropriated the sum of \$77,000, including the sum of \$3,850 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$73,150 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

TOWNSHIP COMMITTEE MEETING
OCTOBER 5, 2009

Cranbury Township Ordinance 09-09-18
(Continued)

Section 3. (a) The improvements hereby authorized and the purpose for which the bonds are to be issued is the remainder of the Township's share of the cost of the easement purchase of the Toscano Farm necessary therefore and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefore.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$73,150, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

TOWNSHIP COMMITTEE MEETING
OCTOBER 5, 2009

Cranbury Township Ordinance 09-09-18
(Continued)

(d) An aggregate amount not exceeding \$7,700 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 9. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Consent Agenda

On motion offered by Mr. Stannard, seconded by Mr. Cody, the following Consent Agenda Resolutions were adopted by vote:

| | |
|-------------|----------------|
| Ayes: (Cody | Abstain: (None |
| (Panconi | Absent: (None |
| (Stannard | |
| (Stave | |
| (Stout | |

Nays: (None

Cranbury Township Resolution # R 10-09-118

NOW, THEREFORE, BE IT RESOLVED, by the Township of Cranbury that all bills and claims as audited and found to be correct be paid.

TOWNSHIP COMMITTEE MEETING
OCTOBER 5, 2009

Cranbury Township Resolution # 10-09-119

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

A RESOLUTION AUTHORIZING THE RELEASE OF ROAD OPENING ESCROW

WHEREAS, Colonial Pipeline Company has \$250.00 in a road opening escrow account previously posted with the Township.

WHEREAS, the Public Works Manager has approved the release of this money

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury that the Township of Cranbury release Colonial Pipeline's road opening escrow account.

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Township Clerk to be a true copy forwarded to each of the following:

- (a) Township Director of Finance
- (b) Colonial Pipeline

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

Cranbury Township Resolution # R 10-09-120

WHEREAS, the County of Middlesex has received FY 2009 Homeland Security LETPP Funds (Law Enforcement Terrorism Prevention & Preparedness) to be used, inter alia, to upgrade local law enforcement agency capabilities to fingerprint suspects and transfer said prints electronically to Federal and State authorities and their respective data bases; and

WHEREAS, the Attorney General of the State of New Jersey and the County Prosecutor have determined that such a system is integral to the timely identification of criminal suspects and terrorists and that it is essential for the protection of the citizens of this State; and

WHEREAS, Middlesex County wishes to purchase a Live Scan fingerprint system utilizing FY 2009 Homeland Security Grant Funds and distribute said system to the Township of Cranbury, an agency that does not currently have this capability; and

WHEREAS, the Office of Homeland Security and Preparedness has approved the use of said funds in this manner; and

WHEREAS, the Township shall, at its sole cost and expense, be responsible for all costs associated with any interface requirements, upkeep, repair, usage and maintenance of said equipment, including but not limited to insurance and storage (commencing in FY 2013); and

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Cranbury, the Mayor and Clerk are hereby authorized to execute an Agreement with Middlesex County.

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OCTOBER 5, 2009

Cranbury Township Resolution # R-10-09-121

TOWNSHIP OF CRANBURY

COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

A RESOLUTION AWARDING CONTRACT NO. 291A TO SIEMENS WATER TECHNOLOGY
CORP FOR THE SUPPLY OF BIOXIDE

WHEREAS, pursuant to a duly advertised notice to bidders, one bid was received on November 21, 2007 for Contract No. 291A, a contract for the supply of bioxide; and

WHEREAS, one bid was received from Siemens Water Technology Corp., of Sarasota Florida, with a bid of one hundred twenty three thousand dollars (\$123,000); and

WHEREAS, the Township desires to award Contract No. 291A to Siemens Water Technology Corp, the sole bidder; and

WHEREAS, the Chief Financial Officer has certified that there are sufficient funds available for this contract;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury as follows:

1. Contract No. 291A for the supply of bioxide is hereby awarded to Siemens Water Technology Corp. of Sarasota, Florida.
2. The Mayor and Clerk are hereby authorized and directed to execute an agreement with Siemens Water Technology Corp. consistent herewith.

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

Cranbury Township Resolution # R 10-09-122

WHEREAS, the Middlesex County Agriculture Development Board has received the following application for the FY 2009 Round of Easement Purchase Applications for the Middlesex County Farmland Preservation Program:

| <u>Name</u> | <u>Block, Lot</u> | <u>Location</u> | <u>Acres</u> |
|----------------------------------|----------------------------|---------------------|--------------|
| Ronald C. & Patricia A. Kurek | Block 14, Lots 3 & 4.02 | 3 Wyckoff Mill Road | 164.22 |

; and

WHEREAS, the Township of Cranbury wishes to support said application for farmland preservation;

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Cranbury that it hereby endorses the above application for farmland preservation and hereby agrees to provide financial support for its local share of the costs of the easement purchase.

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OCTOBER 5, 2009

Mayor Stave reported she had been invited to attend the Stony Brook Millstone Water Shed's 60th Anniversary Gala this past Saturday evening and it was a "glorious affair". Mayor Stave then read the following resolution into the record:

Resolution

Mr. Stout acknowledged Ms. Anna Drago, (who was in the audience) a member of the Stony Brook Millstone Water Shed, and thanked her for all the work she has done.

On motion offered by Mr. Stout, seconded by Mr. Panconi, the following resolution was adopted by vote:

| | | | |
|-------|-----------|----------|-------|
| Ayes: | (Cody | Abstain: | (None |
| | (Panconi | Absent: | (None |
| | (Stannard | | |
| | (Stave | | |
| | (Stout | | |

Nays: (None

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

Cranbury Township Resolution # R 10-09-123

WHEREAS, the Stony Brook-Millstone Watershed Association (the "Watershed"), formed in 1949, is central New Jersey's first environmental group; and

WHEREAS, for the past six decades, the Watershed has provided leadership in protecting water quality and supply as well as the natural environment through conservation, advocacy, science and education; and

WHEREAS, the Watershed has advocated for better environmental stewardship through state and local policy, and by monitoring local stream corridors, restoring stream banks and building partnerships across the 26 municipalities within its 265 square mile region encompassed by the watersheds of the Stony Brook and the Millstone River; and

WHEREAS, the Watershed is dedicated to enhancing awareness and appreciation of the environment and conservation through its education programs, touching 10,000 people annually; and

WHEREAS, the Watershed's Annual FEST provide critical support for its superb team of teacher-naturalists, scientists, land managers, policy analysts, and other professionals;

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Cranbury that it congratulates the Watershed on the anniversary of its "Six Decades of Determination", with best wishes for its continued success in its dedication and commitment on behalf of the environment and the communities co-existing within it, and;

BE IT FURTHER RESOLVED, a duly authenticated copy of this resolution is given to the Stony Brook-Millstone Watershed Association.

Reports from Township Staff and Professionals

Ms. Smeltzer reported the Township has received a grant of \$5,000 for its recycle shed. Ms. Smeltzer also gave a status report on the contaminated soil that was delivered on Pleasant Hill and Brickyard Roads (as the last Township Committee meeting, Mr. Dietrich Wahlers reported on the contaminated soil). Ms. Smeltzer reported Mr. Graydon, Zoning Officer had investigated and

TOWNSHIP COMMITTEE MEETING
OCTOBER 5, 2009

Reports from Township Staff and Professionals (Continued)

Ms. Christine Smeltzer (Township Administrator (cont'd)

determined that the soil actually contained vessel scrapings. Mr. Graydon gave the farmers one month to get rid of the soil. Mr. Stout reported the farmers have received notices from D.E.P. as well.

Reports from Township Boards and Commissions

There were no reports.

Work Session

a). Presentation by Ingro Desvousges from AECOM on Proposed Riparian Zone Mitigation Sites

Mr. Ingro Desvousges discussed with the Township Committee the potential use of two (2) Green Acre parcels owned by the Township for the planting of trees to meet N.J. Turnpike's Riparian Zone mitigation needs in conjunction with the Turnpike Widening Project. Mr. Desvousges reported AECOM has been retained by the New Jersey Turnpike Authority to work on mitigation for the municipalities who will be affected by the widening project. He stated that several meetings have been held with Cranbury Township staff in the past few months. Various waterways located within the Township were reviewed and discussed. Mayor Stave stated, for the public's information, the Turnpike is obligated to make up for the impact on the environment by doing mitigation work elsewhere in the community. She stated there had been a recommendation from the Environmental Commission that the removal of some of the multi-flora rose in the Cranbury Brook Preserve take place. However, the Turnpike is more inclined to plant trees rather than removing multi flora rose or any other growth. Mayor Stave reported AECOM is present this evening to present the sites they would like the Township to consider and to outline their plan. Mayor Stave reported the first site is the extension of the Cranbury Brook Preserve along the Cranbury Brook to the Brainerd Dam. Mayor Stave stated there is a certain advantage to the Township to have the land that is available for the public's use more clearly defined because now the boundaries of the farm and the trails are not defined. Mayor Stave reminded everyone that discussions need to take place with the farmer to ensure that he still has water available for irrigation purposes. The second site is for the Cedar Brook running along the Frosztega property which is at the very north end of Main Street. This parcel is not actively used because there is no access to it from the road and Mr. Stout asked if a neighbor's yard would be used to bring in the trees to be planted. Mr. Desvousges responded most of the land is designated as "wetlands" by D.E.P. and trees would be planted to alleviate some of those wetlands. Mr. Stout stated he is in support of the work AECOM would like to do. Mayor Stave asked for public comment. Mr. Robert Dillon, 32 Hightstown-Cranbury Station Road, asked what waterways AECOM is planning to do plantings on and if Indian Run is one of them. Mr. Brian Schilling, 2 Holmes Road, asked if the parcels involved are Green Acres property and raised his concern for the farmers being able to access the water for irrigation purposes. Mr. Stout made a motion the Township grant permission for continued discussions between the New Jersey Turnpike Authority, its representatives, AECOM and the Cranbury Township Environmental Commission and members of the Township Committee for the feasibility, both legal and technical, of doing restoration on the Frosztega property and the portion of the Cranbury Green in the Cranbury Brook Preserve that abuts Cranbury Brook. Mr. Panconi seconded the motion and it was unanimously carried.

Public Comment

The Mayor opened the meeting to public questions and comments. Mr. Robert Dillon, 32 Hightstown-Cranbury Station Road reported he was at a Township Committee meeting about a month ago concerning issues he is having with Mid-State Filigree. He reported he had received a letter from the Township which is "way off track" of what his concerns are and that the letter referenced Silvi Concrete and not Mid-State Filigree. Mr. Dillon distributed correspondence he had sent in 2008 to the Township Engineer and Township Committee. He explained prior to

TOWNSHIP COMMITTEE MEETING
OCTOBER 5, 2009

Public Comment (Continued)
Mr. Bob Dillon (cont'd)

February, 2008, Mid-State Filigree expanded their site primarily the same as they had in 1984 when he took them to court. He contacted Mr. Graydon at the time and since February, 2008; Mid-State Filigree has appeared at the Township Development Review Committee for an informal meeting. At their first appearance they were represented by an attorney from Princeton. When they returned to the Development Review Committee, Mr. William Moran was representing them as their attorney. Mr. Dillon reported he believes Mr. Graydon cited Mid-State Filigree for the removal of trees without a site plan, etc. and he never knew if they went to court. Mr. Dillon reported they did receive a violation from D.E.P. for water run off. To comply with D.E.P., Mid-State Filigree made a lot of changes to their site and actually expanded their site by cutting trees down, taking down lights and moving the fence back. In addition, he stated the amount of vegetation between the road and side lots is now less and the detention basin that they had originally put in has been removed. Mr. Dillon reported he brought all of these items to Mr. Graydon's and Ms. Marcelli's attention. He reported as of this date, Mr. Graydon has not investigated nor been to the site. Mr. Dillon stated this same issue is what prompted him to take Mid-State Filigree to court 25 years ago and he does not believe he should have to pay someone to make Mid-State Filigree make proper application to the Township. Mayor Stave stated she is referring the matter to Chris Smeltzer who will look into it and Ms. Smeltzer will report back at the next Township Committee meeting. Mr. Dillon added, at one of the D.R.C. meetings Ms. Marcelli was present and told Mid-State Filigree she wanted to see their old site plan as well as the new site plan. Mid-State Filigree never came back. Mr. Dillon reported D.E.P. always inserts language in any letter they send to applicants their approval does not relinquish them from getting the necessary permits from the Township and these approvals are required along with any D.E.P. approvals. Mr. Van Hise, Esquire, who was covering the Township Committee meeting when Mr. Dillon last came in, volunteered he did recently speak with Mr. Graydon who has in the intervening months spoken with Mid-State's attorney and from what he understands they intend to be back, if not to the D.R.C. then the Planning Board within the next few months. Mr. Van Hise urged Mr. Dillon if he has any additional information to get in touch with Mr. Graydon.

There being no further comments, the Mayor closed the public part of the meeting.

Mayor's Notes

Mayor Stave reported the second grade classes of The Cranbury School came today to Town Hall to visit and take a tour of Town Hall. She stated the children asked a lot of questions and were very eager to learn. A lot of the students wanted to know how a person gets to be Mayor and tried to get around only being able to vote once for an election—to be able to vote twice! Mayor Stave reported when the students were finished she asked if there was anything they wished to communicate to the Township Committee. The following are the comments from the students: "Keep our town small", "Keep our town safe", "Have more places to read and chill out", "have more trails for walking", "Have more recess" and finally, "Have more flavors at Gil and Bert's"!

Resolution

On motion offered by Mr. Stannard, seconded by Mr. Panconi, the following resolution was adopted by vote:

| | |
|-------------|----------------|
| Ayes: (Cody | |
| (Panconi | Abstain: (None |
| (Stannard | Absent: (None |
| (Stave | |
| (Stout | |

Nays: (None

TOWNSHIP COMMITTEE MEETING
OCTOBER 5, 2009

Cranbury Township Resolution # R 10-09-117

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

RESOLUTION TO CLOSE MEETING TO THE PUBLIC

BE IT RESOLVED, by the Township Committee of the Township of Cranbury,
Middlesex County, New Jersey as follows:

The general nature of the subject to be discussed in this session is as follows:

----- "N.J.S.A.10:4-12b (7) (Attorney-Client Communications Regarding
Contract Negotiations): Discussion falling within the attorney-client
privilege regarding contract negotiations in which the Township is to be a
party."

It is unknown at this time precisely when the matters discussed in this session will be disclosed to the public. Matters involving contract negotiations or the acquisition of land will be disclosed upon conclusion of the negotiations or upon approval of the acquisition. Matters involving personnel will be disclosed when the need for confidentiality no longer exists. Matters concerning litigation will be announced upon the conclusion of trial or settlement of that litigation or when the need for confidentiality no longer exists.

Date: October 5, 2009

On motion by Mr. Stannard, seconded by Mr. Panconi and unanimously carried, the meeting returned to Open Session:

| | |
|-------------|----------------|
| Ayes: (Cody | |
| (Panconi | Abstain: (None |
| (Stannard | Absent: (None |
| (Stave | |
| (Stout | |

Nays: (None

On motion by Mr. Stannard, seconded by Mr. Cody and unanimously carried, the meeting adjourned at 9:05 p.m.

Kathleen R. Cunningham, Clerk